



Attorney Docket No.: PALM-3217.SG

AF/2137  
JFW

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Steve Lemke

Application No.:09/769,654

Group No.:

Filed: 01/24/01

Examiner:

Confirmation No.: 3467

For: HANDHELD COMPUTER SYSTEM CONFIGURED TO AUTHENTICATE A USER AND POWER-UP IN RESPONSE TO A SINGLE ACTION BY THE USER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL OF NOTICE OF APPEAL**

1. Transmitted Herewith, In Triplicate, Is A Notice Of Appeal

2. STATUS OF APPLICANT

This application is on behalf of

other than a small entity

a small entity

A verified statement:

is attached

was already filed

3. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R 1.17(f), the fee for filing the Notice of Appeal is:

small entity \$250.00

other than small entity \$500.00

Notice of Appeal fee due \$500.00



**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)**

I hereby certify that this correspondence is, on the date shown below, being:

**MAILING**

deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450.

Date: 03/02/06

**FACSIMILE**

transmitted by facsimile to the Patent Trademark Office.

*Katherine Rinaldi*  
Signature

Katherine Rinaldi  
Type or print name of person certifying

*Jose S. Garcia*  
SIGNATURE OF ATTORNEY  
Jose S. Garcia  
Reg. No.: 43,628  
WAGNER, MURABITO & HAO LLP  
Two North Market Street, Third Floor  
San Jose, CA 95113  
Tel. No.: (408) 938-9060



Patent  
Docket No.: PALM-3217.SG

## Notice of Appeal

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Steve Lemke

Application No.: 09/769,654

Group Art Unit:

Filed: 01/24/01

Examiner:

Confirmation No: 3467

Title: HANDHELD COMPUTER SYSTEM CONFIGURED TO AUTHENTICATE A USER AND POWER-UP IN RESPONSE TO A SINGLE ACTION BY THE USER

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

### NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed 11/03/05, finally rejecting claims 1-21.

The item(s) checked below are appropriate:

#### 1. STATUS OF APPLICANT

This application is on behalf of

other than a small entity.  
 a small entity.  
 A verified statement  
 is attached.  
 was already filed on \_\_\_\_\_.

---

### CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8a)

I hereby certify that this correspondence is, on the date shown below, being:

#### MAILING

deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to the Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450.

#### FACSIMILE

transmitted by facsimile to the Patent and Trademark Office.

*Katherine Rinaldi*  
Signature

Date: 03/02/06

Katherine Rinaldi

(type or print name of person certifying)

---

**2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. 1.17(e), the fee for filing the Notice of Appeal is:

<input type="checkbox"/>	small entity	\$250.00
<input checked="" type="checkbox"/>	other than a small entity	\$500.00

Notice of Appeal fee due \$ 500.00

**3. EXTENSION OF TERM**

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

(a)  Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)-(d)) for the total number of months checked below:

<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
[ x ] one month	\$120.00	\$60.00
[ ] two months	\$450.00	\$225.00
[ ] three months	\$1,020.00	\$510.00
[ ] four months	\$1,530.00	\$795.00
[ ] five months	\$2,160.00	\$1,080.00

**Fee \$ 120.00**

If an additional extension of time is required, please consider this a petition therefor.

An extension for 1 months has already been secured. The fee paid therefor of \$ 120.00 is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ \_\_\_\_\_

or

(b)  Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

**4. TOTAL FEE DUE**

The total fee due is:

Notice of Appeal fee \$ 500.00

Extension fee (if any) \$ 120.00

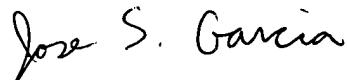
**TOTAL FEE DUE \$ 620.00**

**5. FEE PAYMENT**

[  ] Attached is a check in the sum of \$ 620.00.  
[  ] Change Account No. 23-0085 the sum of  
\$                   . A duplicate of this transmittal is attached.

**6. FEE DEFICIENCY**

If any additional fee is required, charge Account No. 23-0085.



**SIGNATURE OF ATTORNEY**

Jose S. Garcia  
Reg. No.: 43,628

Tel. No.: (408) 938-9060

WAGNER, MURABITO & HAO LLP  
Two North Market Street  
Third Floor  
San Jose, CA 95113